Docket No.: 1662/495071 Serial No.: 10/800,918



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT

SINGER ET AL.

CONTINUATION OF:

10/368,441 filed February 20, 2003

SERIAL NO.

10/800,918

FILING DATE

March 16, 2004

FOR

NOVEL SYNTHESIS AND CRYSTALLIZATION OF

PIPERAZINE RING-CONTAINING COMPOUNDS

GROUP ARTUNIT:

1624

EXAMINER

K. HABTE

SECOND INFORMATION DISCLOSURE STATEMENT

MAIL STOP AF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to Deposit Account 11-0600.

Docket No.: 1662/495071 Serial No.: 10/800,918

Applicants would like to bring the attention of the Examiner pending US application 09/697,329 (lishi et al).

This Information Disclosure Statement is being filed before the mailing of a first office action after filing of a request for continued examination. No certification or fee is required.

Date: 5/11/66

W. David Wallace

Registration No. 42,210

Kenyon & Kenyon 1500 K Street, N.W.

Washington, D.C. 20005 Telephone: (202) 220-4200

Facsimile: (202) 220-4201

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known Substitute for form 1449A/PTO 10/880,981 Application Number INFORMATION DISCLOSURE Filing Date March 16, 2004 STATEMENT BY APPLICANT First Named Inventor CLAUDE SINGER ET AL Art Unit 1624 (Use as many sheets as necessary) Examiner Name K. Habte Attorney Docket Number 1662/495071 2

Sheet

1 5	-		U.S. PATENT D	OCUMENTS	
aminer	Cite	Document Number	Publication Date	Name of Patentee or Applicant of	Pages, Columns, Lines, Where Relevant
Initials *	No.1	Number - Kind Code ² (if known)	MM-DD-YYYY	Cited Document	Passages or Relevant Figures Appear
		US-6,723,845B2	04-20-04	lishi et al.	
		US- 6,552,189B2	04-22-03	lishi et al.	
		US- 2004/0138447 A1	07-15-04	lishi et al.	
		US-			

	FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				T ₆	
				· · · · · · · · · · · · · · · · · · ·			

Examiner Signature	Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \(^1\) Applicant's unique citation designation number (optional). \(^2\) See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. \(^3\) Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \(^4\) For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \(^5\) Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \(^6\) Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

	Substitute	o for form 144	19B/PTO		Complete if Known			
				Application Number	10/880,981			
			ION DISCLOSURE	Filing Date	March 16, 2004			
	STAT	LEMEN	IT BY APPLICANT	First Named Inventor	Claude Singer et al.			
				Art Unit	1624			
	(Use as many sheets as necessary)			Examiner Name	K. Habte			
7	Sheet	2	of 2	Attorney Docket Number	1662/495071			

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Opposition to EP 1225174 dated December 16, 2004, by Teva Pharmaceutical Industries, Inc.	
		Opposition to EP 1225174 dated August 12, 2004 by KRKA	
		Opposition to EP 1225174 dated December 17, 2004 by Dr. Dominique J. M. Trösch	
		Opposition to EP 1225174 dated December 17, 2004 by Akzo Nobel, N.V.	
,			

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the helpful description and the process of case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-